

based water resource planning and management.

(b) **PURPOSE.**—The purpose of this title is to authorize assistance for a collaborative and science-based water resource planning and management partnership for the Verde River Basin in the State of Arizona, consisting of members that represent—

- (1) Federal, State, and local agencies; and
- (2) economic, environmental, and community water interests in the Verde River Basin.

SEC. 202. DEFINITIONS.

In this title:

(1) **DIRECTOR.**—The term “Director” means the Director of the Arizona Department of Water Resources.

(2) **PARTNERSHIP.**—The term “Partnership” means the Verde River Basin Partnership.

(3) **PLAN.**—The term “plan” means the plan for the Verde River Basin required by section 204(a)(1).

(4) **SECRETARY.**—The term “Secretary” means the Secretary of Agriculture.

(5) **STATE.**—The term “State” means the State of Arizona.

(6) **VERDE RIVER BASIN.**—The term “Verde River Basin” means the land area designated by the Arizona Department of Water Resources as encompassing surface water and groundwater resources, including drainage and recharge areas with a hydrologic connection to the Verde River.

(7) **WATER BUDGET.**—The term “water budget” means the accounting of—

(A) the quantities of water leaving the Verde River Basin—

(i) as discharge to the Verde River and tributaries;

(ii) as subsurface outflow;

(iii) as evapotranspiration by riparian vegetation;

(iv) as surface evaporation; and

(v) for human consumption; and

(B) the quantities of water replenishing the Verde River Basin by precipitation, infiltration, and subsurface inflows.

SEC. 203. VERDE RIVER BASIN PARTNERSHIP.

(a) **IN GENERAL.**—The Secretary may assist the Director and the Yavapai Water Advisory Council by participating in the establishment of a Verde River Basin Partnership to provide science-based and collaborative water resource planning and management activities relating to the Verde River Basin.

(b) **MEMBERSHIP.**—It is the intent of Congress that the Partnership be composed of Federal, State, and local members with responsibilities, expertise, and interests pertaining to water resource planning and management.

(c) **AUTHORIZATION OF APPROPRIATIONS.**—On establishment of the Partnership, there are authorized to be appropriated to the Secretary and the Secretary of the Interior such sums as are necessary to carry out the activities of the Partnership for each of fiscal years 2005 through 2009.

SEC. 204. VERDE RIVER BASIN STUDIES.

(a) **STUDIES.**—

(1) **IN GENERAL.**—The Partnership shall prepare a plan for the conduct of water resource studies in the Verde River Basin that identifies—

(A) the primary study objectives to fulfill water resource planning and management needs for the Verde River Basin; and

(B) the water resource studies, hydrologic models, surface and groundwater monitoring networks, and other analytical tools helpful in the identification of long-term water supply management options within the Verde River Basin.

(2) **REQUIREMENTS.**—At a minimum, the plan shall—

(A) include a list of specific studies and analyses that are needed to support Partnership planning and management decisions;

(B) identify any ongoing or completed water resource or riparian studies that are relevant to water resource planning and management for the Verde River Basin;

(C) describe the estimated cost and duration of the proposed studies and analyses; and

(D) designate as a study priority the compilation of a water budget analysis for the Verde Valley, including the Camp Verde parcel described in section 103(a)(2)(D).

(b) **VERDE VALLEY WATER BUDGET ANALYSIS.**—

(1) **IN GENERAL.**—Not later than 14 months after the date of enactment of this Act, the Director of the U.S. Geological Survey, in cooperation with the Director, shall prepare and submit to the Partnership a report that provides a water budget analysis of the portion of the Verde River Basin within the Verde Valley.

(2) **COMPONENTS.**—The report submitted under paragraph (1) shall include—

(A) a summary of the information available on the hydrologic flow regime for the portion of the Middle Verde River from the Clarkdale streamgauging station to the city of Camp Verde at United States Geological Survey Stream Gauge 09506000;

(B) with respect to the portion of the Middle Verde River described in subparagraph (A), estimates of—

(i) the inflow and outflow of surface water and groundwater;

(ii) annual consumptive water use; and

(iii) changes in groundwater storage; and

(C) an analysis of the potential long-term consequences of various water use scenarios on groundwater levels and Verde River flows.

(c) **PRELIMINARY REPORT AND RECOMMENDATIONS.**—

(1) **IN GENERAL.**—Not later than 16 months after the date of enactment of this Act, using the information provided in the report submitted under subsection (b) and any other relevant information, the Partnership shall submit to the Secretary, the Governor of Arizona, and representatives of the Verde Valley communities, a preliminary report that sets forth the findings and recommendations of the Partnership regarding the long-term available water supply within the Verde Valley (including the Camp Verde parcel described in section 103(a)(2)(D)), taking into account the long-term consequences analyzed under subsection (b)(2)(C).

(2) **INCLUSIONS.**—To the maximum extent practicable, the recommendations submitted under paragraph (1) shall include, with respect to the Camp Verde parcel described in section 103(a)(2)(D)—

(A) proposed development scenarios on the parcel that are compatible with long-term available water supply estimates; and

(B) designation of any portions of the parcel that should be retained as open space or otherwise managed for aquifer recharge or baseflow maintenance.

SEC. 205. VERDE RIVER BASIN PARTNERSHIP FINAL REPORT.

Not later than 4 years after the date of enactment of this Act, the Partnership shall submit to the Secretary and the Governor of Arizona a final report that—

(1) includes a summary of the results of any water resource assessments conducted under this title in the Verde River Basin;

(2) identifies any areas in the Verde River Basin that are determined to have groundwater deficits or other current or potential water supply problems;

(3) identifies long-term water supply management options for communities and water resources within the Verde River Basin; and

(4) identifies water resource analyses and monitoring needed to support the implementation of management options.

SEC. 206. MEMORANDUM OF UNDERSTANDING.

The Secretary (acting through the Chief of the Forest Service) and the Secretary of the Interior, shall enter into a memorandum of understanding authorizing the United States Geological Survey to access Forest Service land (including stream gauges, weather stations, wells, or other points of data collection on the Forest Service land) to carry out this title.

SEC. 207. EFFECT.

Nothing in this title diminishes or expands State or local jurisdiction, responsibilities, or rights with respect to water resource management or control.

NOTICES OF HEARINGS/MEETINGS

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. DOMENICI. Mr. President, I would like to announce for the information of the Senate and the public that an oversight hearing has been scheduled before the Committee on Energy and Natural Resources.

The hearing will be held on Thursday, September 16, 2004, at 10 a.m. in room SD-366 of the Dirksen Senate Office Building.

The purpose of the hearing is to receive testimony on the current status of the Hard Rock Mining Industry in America. The hearing would provide a status and trend analysis, a review of domestic mineral reserves, a summary on exploration investments and current production as well as permitting and reclamation issues.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510-6150.

For further information, please contact Dick Bouts at 202-224-7545 or Amy Millet at 202-224-8276.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on July 22, 2004, at 9:30 a.m., in open session to receive testimony on the Department of the Army Inspector General Report on Detention Operation Doctrine and Training.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on Thursday, July 22, 2004, at 10 a.m., to conduct an oversight hearing on “Regulation N.M.S. and Developments in Market Structure.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session on Thursday, July 22, 2004, at 10 a.m., to hear testimony on The Role of Higher Education Financing in Strengthening U.S. Competitiveness in a Global Economy.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, July 22, 2004, at 9:30 a.m. to hold a hearing on Iraq Post-Transition.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on Governmental Affairs be authorized to meet on Thursday, July 22, 2004, at 3:30 p.m., to consider the nomination of Allen Weinstein to be Archivist of the United States, National Archives and Records Administration.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet for a hearing entitled "Terror Attacks: Are We Prepared?" during the session of the Senate on Thursday, July 22, 2004, at 10 a.m. in SD-430.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to continue its markup on Thursday, July 22, 2004, at 10:30 a.m. in Dirksen Senate Office Building room 226.

Agenda

I. Nominations: Claude A. Allen, to be U.S. Circuit Judge for the Fourth Circuit; David E. Nahmias, of Georgia, to be United States Attorney for the Northern District of Georgia; Ricardo H. Hinojosa, to be Chair of the United States Sentencing Commission; Michael O'Neill, to be a Member of the United States Sentencing Commission; Ruben Castillo, to be a Member of the United States Sentencing Commission; and William Sanchez, to be Special Counsel for Immigration-Related Unfair Employment Practice.

II. Legislation: S. 1635, L-1 Visa (Intracompany Transferee) Reform Act of 2003, Chambliss; S. 1700, Advancing Justice through DNA Technology Act of 2003, Hatch, Biden, Specter, Leahy, DeWine, Feinstein, Kennedy, Schumer, Durbin, Kohl, Edwards; S. 2396, Federal Courts Improvement Act of 2004, Hatch, Leahy, Chambliss, Durbin, Schumer; and H.R. 1417, to amend title 17, United States Code, to replace copy-

right arbitration royalty panels with Copyright Royalty Judges Act of 2003, Smith-TX, Berman-CA, Conyers-MI.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a hearing on Thursday, July 22, 2004, at 2 p.m. on "Protecting Innovation and Art while Preventing Piracy" in the Dirksen Senate Office Building room 226.

Witness List

Panel I: The Honorable Marybeth Peters, Register of Copyrights, United States Copyright Office.

Panel II: Mr. Gary Shapiro, President and Chief Executive Officer, Consumer Electronics Association; Mr. Robert Holleyman, President and Chief Executive Officer, Business Software Alliance; Mr. Andrew Greenberg, Vice-Chairman, Intellectual Property Committee, IEEE-USA; Mr. Kevin McGuinness, Executive Director and General Counsel, NetCoalition; and Mr. Mitch Bainwol, Chairman and Chief Executive Officer, Recording Industry Association of America.

The PRESIDING OFFICER. Without objection, it is so ordered.

JOINT ECONOMIC COMMITTEE

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Joint Economic Committee be authorized to conduct a hearing in room 628 of the Dirksen Senate Office Building, Thursday, July 22, 2004, from 10 a.m. to 12:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Permanent Subcommittee on Investigations of the Committee on Governmental Affairs be authorized to meet on Thursday, July 22, 2004, at 9 a.m., for a hearing entitled "Buyer Beware: The Danger of Purchasing Pharmaceuticals Over the Internet."

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on July 22, 2004, at 2:30 p.m., to hold a hearing on intelligence matters.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON NATIONAL PARKS

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Subcommittee on National Parks of the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Thursday, July 22, at 2:30 p.m.

The purpose of the hearing is to conduct oversight on the implementation of the National Parks Air Tour Management Act of 2000, Public Law 106-181.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON SCIENCE, TECHNOLOGY, AND SPACE

Mr. ALEXANDER. Mr. President, I ask unanimous consent that Subcommittee on Science, Technology, and Space be authorized to meet on Thursday, July 22, 2004, at 2:30 p.m. on the subject of Saturn.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGE OF THE FLOOR

Mr. INOUE. Mr. President, I ask unanimous consent that privilege of the floor be granted to Ellen Forster during consideration of this legislation.

The PRESIDING OFFICER. Without objection, it is so ordered.

HIGHWAY ACT EXTENSION

Mr. FRIST. I ask unanimous consent that the Senate proceed to consideration of H.R. 4916, which is at the desk.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 4916) providing extension of highway, highway safety, transit, and other programs funded out of the Highway Trust Fund.

There being no objection, the Senate proceeded to consider the bill.

SURFACE TRANSPORTATION

Mr. WARNER. Mr. President, I respectfully request if the chairman of the Committee on Environment and Public Works, Senator INHOFE, would engage in a colloquy with me on the impact of the several Surface Transportation extension bills on the so-called "donor" States. As the chairman is well aware, TEA-21 contains a fundamental principle of fairness for donor States which guarantees that no State will receive less than a 90.5 percent rate of return of their gas tax contributions to the Highway trust fund. In the preceding extension bills for fiscal year 2004, this matter was not addressed because it was expected that a full surface transportation reauthorization bill would be enacted this year. I know my chairman has worked tirelessly to pass a new transportation bill, but regrettably we have not completed our work.

As we face the end of the fiscal year, the multiple highway extension bills have not followed the TEA-21 Minimum Guarantee program and the result is that, to date, many States will not receive the 90.5 percent guarantee in fiscal year 2004. I am particularly concerned because again this temporary extension bill does not follow the TEA-21 formula.

I appreciate the chairman's diligence on this matter and I am aware that some funding remains in fiscal year